



**COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF TELECOMMUNICATIONS AND CABLE**

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**Massachusetts Department of Telecommunications & Cable
2007 Annual Report**

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Introduction

On April 11, 2007, the former Department of Telecommunications & Energy was split into two separate agencies. Pursuant to the Governor's Reorganization Plan, House Bill 2034, the Department of Telecommunications & Energy ceased to exist as of April 11, 2007. In its place, the Plan established two new agencies: The Department of Telecommunications & Cable ("DTC" or "Department") which will handle telecommunications and cable issues and The Department of Public Utilities ("DPU") which will handle electric, gas, siting, pipeline, water and transportation issues.

The DTC is overseen by the Office of Consumer Affairs and Business Regulation within the Executive Office of Housing & Economic Development. The DPU is overseen by the Undersecretary of Energy and within the Executive Office of Energy and Environmental Affairs.

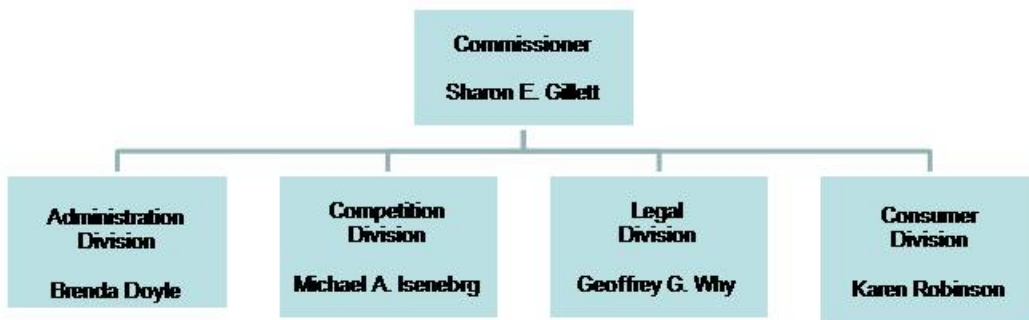
The mission of the new Department is to regulate the telecommunications and cable industries in accordance with statutory obligations imposed by the Commonwealth of Massachusetts and the federal government; to promote competition and protect consumers consistent with the public interest, including investigating and responding to carrier and consumer inquiries and complaints related to telecommunications and cable services; and to provide expert input, as requested by the Administration, to the development of telecommunications-related policies for the Commonwealth.

The Department has advocated on behalf of Massachusetts consumers and businesses before the Federal Communications Commission by filing comments in support of greater telecommunications competition and improved broadband data collection and provided expert input to support the development of legislation filed October 18 by Governor Patrick to establish a \$25M Massachusetts Broadband Incentive Fund aimed at ensuring that all Massachusetts communities have high-speed access to the Internet by 2010.

This report summarizes the responsibilities of the various staff divisions within the Department, provides details about the day-to-day functions of the agency and provides information about specific activities and accomplishments during 2007.

Organizational Chart

Department of Telecommunications and Cable December 31, 2007



Administration Division

The Administration Division provides administrative support to the Department for purchasing, accounts receivable and payable, human resources, budget preparation and management, public relations, information technology and administrative services. This Division also serves as liaison to the Office of Consumer Affairs and Business Regulation, the Fiscal Affairs and Human Resources Divisions in the Executive Office for Administration and Finance and the Legislature.

The Department is funded through an annual assessment to telecommunications and cable companies as authorized by the annual General Appropriations Act, line item 7006-0071 and pursuant to Chapter 25C, section 7 of the Massachusetts General Laws and Article 87 of the Acts of 2007. The Department's operating expenses for FY2007 were \$2.47 million. Any unexpended balance is credited to the next year's assessment.

The Administration Division responds to legislative and media inquiries, prepares speaking points and briefing materials for the Commissioner, Consumer Affairs and others on telecommunication and cable issues. In addition, Division staff write and publish consumer advisories on topical issues.

The Division is also responsible for publishing notices of all Department public hearings. In Calendar Year (CY) 2007, the Department conducted a total of 14 hearings. Although most of the hearings were held in the Department's South Station Offices, 2 public hearings were held in Hancock and Rowe.

Processing of all docket filings and Orders issued by the Department and management of record retention are also handled by the Administration Division. Staff processed 22 decisions to multiple parties and intervenors in the Department's dockets in CY 2007. Additionally, staff responded to hundreds of requests for information regarding docketed matters.

The Administrative Division is responsible for the smooth operation of the information technology systems, telephone system and the Website. IT staff is shared with the Office of Consumer Affairs and Business Regulation. In CY 2007, IT staff completed infrastructure upgrades, including system conversions resulting from the Consumer Division's move to our 4th floor office and the transfer of the entire telephone system to new servers.

Competition Division

Overview

The Competition Division provides technical support to the Commissioner of the Department in the regulation of the telecommunications and cable industries in Massachusetts. The telecommunications industry over which the Department has jurisdiction is made up of local exchange carriers, interexchange carriers, operator service providers, and pay-telephone companies. The cable industry in Massachusetts is comprised of 9 cable television providers serving over two million cable subscribers in 308 of the Commonwealth's 351 cities and towns. The mission of the Competition Division is to ensure that telecommunications and cable companies provide their customers with the most reliable services at the lowest possible cost, in accordance with state and federal statutory obligations; to promote competition; and to protect consumers consistent with the public interest.

As noted above, pursuant to Chapter 19 of the Acts of 2007, the Department of Telecommunications and Energy was dissolved in April, 2007. Jurisdiction over telecommunications and cable matters was placed in the newly-established Department (i.e., the DTC). All telecommunications and cable authority and cases were transferred to the Department's Telecommunications and Cable Television Division.¹

Shortly thereafter, the Department merged the separate Cable and Telecommunications Divisions, to form the Competition Division, in order to increase efficiencies by taking advantage of synergies created by convergence in these industries.

¹ In 1971, the Legislature established the Massachusetts Community Antenna Television Commission ("Cable Commission"). In 1997, the Cable Commission was merged into the Department of Telecommunications and Energy as the Cable Television Division.

Telecommunications Regulation

Introduction

The Competition Division's major telecommunications-related responsibilities are:

Promoting Competition

- Revise existing policies and develop new policies in response to new technologies and market conditions;
- Collect and compile data on the status of competition in the communications industries in Massachusetts, and prepare an annual report summarizing the findings;
- Develop and implement policies that promote competition in areas of the state where it lags;
- Develop and enforce policies to promote wholesale and retail competition;
- Implement competition-related rules changes to federal law that apply to Massachusetts;

Wholesale Regulation

- Set rates at which carriers can lease parts of each other's networks, particularly Verizon's network;
- Establish the terms and conditions under which facilities-based carriers interconnect their networks, exchange traffic and generally conduct their business relationships;
- Resolve disputes between competing carriers over wholesale rates and service issues;
- Establish and enforce wholesale service quality standards for Verizon so that it does not discriminate against competing carriers in providing wholesale services;
- Set the rates at which competitors can resell Verizon's retail services;
- Ensure that competing carriers do not put up barriers to consumer choice (e.g., enforce number porting requirements);
- Enforce phone number allocation rules (i.e., monitor use of telephone numbers by carriers and promote number conservation to ensure an adequate supply of telephone numbers for the industry and to prevent the need for new area codes);

- Ensure access to rights-of-ways for all carriers by establishing and enforcing rules concerning the rates and access to utility poles and conduits;

Retail Regulation

- Develop and enforce policies to promote retail competition, including policies that relax regulation where market forces are sufficient to protect consumer interests;
- Regulate certain Verizon retail services for which it still maintains market power;
- Regulate rates, services, and practices of four small rural incumbent local phone companies that are considered to have market power in their service territories;
- Set rates and monitor service quality for inmate calling services, which are considered “monopoly” services;
- Ensure that reasonable service quality is provided by all carriers, including the state’s primary incumbent local exchange carrier, Verizon;

Consumer Regulation

- Establish and enforce basic consumer protections (e.g., enforce the Department’s billing and termination requirements, including elderly disconnect rules, and chat line blocking rules);
- Ensure access to quality telecommunications services for persons with disabilities (e.g., determine which new services should be adopted, monitor service quality, ensure adequate funding of programs, etc.);
- Monitor and enforce low-income discount programs (Lifeline/Linkup) and conduct outreach to promote subscribership;
- Enforce consumer privacy laws;
- Investigate the need for “public interest” payphones, and ensure that payphone providers comply with labeling and rate information requirements to prevent price gouging;
- Adjudicate “slamming” complaints, complaints between small and medium-sized business customers and carriers, and service quality complaints from various customer groups and municipalities;
- Serve as a source of technical knowledge for the Consumer Division in resolving/adjudicating complaints from residential customers;

Public Safety/Network Reliability Regulation

- Ensure adequate funding of the wireline E-911 network (i.e., oversee the cost of the network and establish the retail surcharge to fund the network);
- Facilitate quick resolution of wholesale and retail service outages by working closely with carriers;
- Enforce Verizon's major extended service outage rules, which are intended to address prolonged outages affecting 200 or more customers;
- Periodically review for adequacy carrier network reliability plans;
- Enforce Verizon's central office collocations security rules;

Market Entry and Exit Regulation

- Review new registrations from companies seeking to provide telecommunications services in Massachusetts;
- Review individual tariff filings that would implement new service offerings or change the rates, terms or conditions of existing service offerings;
- Enforce entry requirements to ensure that no carriers are operating illegally in the Commonwealth;
- Facilitate a smooth, orderly process when carriers discontinue services or exit the market entirely to prevent disruption of service to customers;
- Approve transfers of ownership and control for certain carriers;
- Review and approve applications for "eligible telecommunications carrier" status (ETCs must meet certain service obligations to be eligible to receive federal universal service funds);

Information/Advocacy Role

- Analyze major federal legislative and regulatory decisions to evaluate their impact on state regulation of the telecommunications industry, and when appropriate, advocate on behalf of Massachusetts consumers before the Federal Communications Commission ("FCC") and Congress;
- Explain Department regulations and policies, and provide other information as requested, to consumers, carriers, public officials, the Legislature, the Administration, etc.;

- Monitor and evaluate proposed state legislation, and provide recommendations to the Administration;
- Participate in regional and national regulatory associations to ensure that Massachusetts consumer interests are represented; and
- Comply with periodic or annual FCC reporting requirements.

Regulatory Framework

The Telecommunications Act of 1996 led to major changes in the telecommunications industry and how it is regulated. Foremost among the changes was the growth of competition in all markets but particularly the local exchange market. The dramatic increase in competition, spurred in large part by technological innovation, has required that the Department adjust its regulation to reflect changes in market condition, by relaxing regulation where market forces are sufficient to protect consumer interests, and thereby continue to promote competition. At the same time, however, where market forces are not sufficient to safeguard consumer interests, the Department has continued to enforce necessary protections.

The Department has jurisdiction over telecommunications services that originate and terminate within or between each of Massachusetts' two federally-designated "Local Access and Transport Areas." ("LATAs").² The Federal Communications Commission ("FCC") regulates services provided between customers in different LATAs, as well as interstate and international services.

Retail Services

To reduce barriers to market entry and encourage competition for telecommunications service in Massachusetts, the Department has streamlined its registration procedures for companies wishing to do business as carriers here. Previously, the Department conducted an investigation into the financial, managerial, and technical ability of a carrier to offer service. The Department now permits carriers to offer service based simply on the submission of a Statement of Business Operations and a tariff. By streamlining the entry process, the Department has made greater resources and staff time available for other responsibilities.

Wholesale Services

Apart from building their own facilities to serve customers, carriers who wish to compete in the retail telecommunications market have two modes of entry availability to them. One of these is to lease unbundled network elements from

² The Western Massachusetts LATA consists of the 413 area code; all other area codes in the state fall under the Eastern Massachusetts LATA.

the “incumbent” local exchange carrier³ (Verizon) or another carrier and provide service over this leased network. The Department has authority over Verizon’s wholesale provision of unbundled network elements, ensures that they are provided in a non-discriminatory manner, and regulates the rates at which they are leased.

The other way a carrier can enter the market is to purchase a service from another carrier at a predetermined wholesale discount rate, then brand the service with its own name and resell it. The Competition Division develops the wholesale discount rate pursuant to FCC methodology.

Payphone Providers

Many companies in addition to Verizon own and operate payphones in Massachusetts. In a 1986 Order, the Department held that all payphones must have labels clearly identifying the owner/operator of the phone, and must provide free access to 911 and directory assistance. The Department ensures that Verizon provides the lines necessary to provide payphone service on a non-discriminatory basis to all companies seeking to offer the service. During 2007, the Department registered two new payphone providers. Payphone providers are not required to file tariffs.

Telecommunications-related Responsibilities

Review of New Registrations

Telecommunications carriers wishing to do business in Massachusetts must file a Statement of Business Operations and a tariff with the Department. The statement includes a general description of the services to be offered by the carrier, contact information for customers who need to reach the carrier with questions or complaints, and a statement that the company has made all appropriate federal and state income tax filings and paid all income taxes. During 2007, the Department handled filings from 21 new carriers.

Review of Original and Amended Tariff Filings

The Competition Division reviews approximately 50 tariff filings in an average month, including new tariffs and amendments to existing tariffs. Competitive carriers are free to determine prices and service offerings based on what the market will bear (“market-based pricing”). The Competition Division reviews competitive carriers’ tariffs to make sure that they do not contain any terms or provisions that are in violation of Department policy (e.g., a carrier cannot offer service on the condition that a customer agrees not to contest any charges), but otherwise generally allows new tariffs to become effective as filed. Because

³ The “incumbent” local exchange carrier is the entity that owned the network prior to the introduction of competition.

Verizon is the incumbent local exchange carrier, its tariffs receive greater scrutiny than those of competitive local exchange carriers (“CLECs”), although most of Verizon’s rates are subject to market-based pricing.

In mid 2007, the Department established an internal measurement to gauge its responsiveness to carriers in the tariff review process. The “tariff review metric” requires that the Department notify carriers within 14 days of receipt of a tariff filing that the filing has been received and is being processed. This performance metric is tracked internally on a monthly basis and reported quarterly in the Office of Consumer Affairs and Business Regulation’s “Consumer Report Card.” The Department consistently met the metric in 2007.

Enforcement of Service Quality

Since the passage of the federal Telecommunications Act of 1996, the Massachusetts telecommunications market has experienced competitive growth in all sectors, including residential, business, urban and rural. In 1995, the Department adopted a Service Quality Plan for Verizon, consisting of twelve service measures in the categories of Installation Service, Maintenance Service, and Service Response. Verizon reports its performance on each of the measures to the Department on a monthly basis. If Verizon’s performance falls below the Department’s threshold, Verizon pays a penalty in the form of a refund to all residential and business customers. By continuing to monitor Verizon’s quality of service, the Department ensures that Verizon, as the dominant local exchange carrier in Massachusetts, allocates sufficient resources for the maintenance of quality basic service to all customers, regardless of the level of competition the company faces in a particular market.

Analysis and Implementation of Major Federal Regulatory Changes

Decisions of the FCC, Congress, and state and federal courts affect the structure of the telecommunications industry and the Department’s authority to regulate intrastate telecommunications services. Competition Division staff monitor large volumes of relevant case law from other agencies and jurisdictions to keep abreast of major issues that may influence the provision of telecommunications services within Massachusetts. In particular, the Competition Division monitors all new telecommunications-related dockets at the FCC to determine whether to participate in those proceedings as an advocate on behalf of Massachusetts consumers and/or to keep the Commissioner informed of the impact of those proceedings on Department policies. In 2007, the Competition Division actively monitored approximately 30 FCC proceedings and submitted comments in four proceedings of particular importance to Massachusetts consumers.

Enforcement

The Competition Division enforces a wide variety of laws, regulations, and policies. For example, under the Department's "chat line" policy, carriers providing service to information service providers, including chat line providers, are required to serve their information service provider customers exclusively with blockable telephone numbers. In addition, carriers are required to notify their end-user customers of the option to block outgoing calls to voice information services, including chat lines. In 2007, the Competition Division continued to ensure that carriers were complying with our chat line policy. In addition, the Competition Division conducted enforcement action against several carriers operating without Department approval. Also, the Competition Division took action against carriers who failed to comply with statutory financial reporting requirements. The Department's methods for ensuring compliance include mass mailings notifying the industry of Department rules and regulations; issuing Notices of Probable Violation ("NOPVs"); opening investigations; issuing Orders to cease and desist; and referring violators to the Attorney General's Office for prosecution.

Development of Policies to Address New Technologies and Market Conditions

The evolution of the telecommunications industry within Massachusetts has resulted in many new telecommunications service providers, new technologies, such as Voice of Internet Protocol ("VoIP") telephone service, and a plethora of new service offerings. Because of the changing nature of the telecommunications industry, the Competition Division analyzes new technologies and market developments in order to determine their impact on customers. For example, in 2007, the Competition Division began work on establishing a new market monitoring function intended to report on the state of competition in Massachusetts on an annual basis.

Education and Public Information

The Competition Division devotes substantial staff time to explaining the Department's regulations and policies to potential and existing providers of telecommunications services, local and state officials, state and federal legislators, other Massachusetts agencies, the FCC and other state public utility commissions, and various other constituencies. Staff also devotes significant time to consumer inquiries and refers consumers to the Consumer Division for additional assistance. From time to time, the Department requires telecommunications carriers to develop customer education materials explaining major changes in the provision of services. The Competition Division reviews these education materials for technical accuracy. As needed, staff develops educational materials in response to industry changes or Department Orders.

2007 Telecommunications-related Accomplishments

During 2007, the Department supported the development of Governor Patrick's Broadband Initiative, providing expertise and advice, including assisting in the drafting of legislation, filed October 18, 2007 by the Governor, to establish a \$25 million Massachusetts Broadband Incentive Fund aimed at ensuring that all Massachusetts communities have high-speed access to the Internet by 2010.

In addition, the Competition Division worked to reduce the backlog of telecommunications cases (i.e., cases that the Department acquired from the DTE) by roughly 33 percent, while resolving more than 25 percent of new telecommunications cases opened in 2007. Examples of important telecommunications investigations completed by the Competition Division include: (1) the adoption of a 25 percent decrease in the retail surcharge for funding of the state's E911 system and programs that provide access to quality telecommunications services for the deaf and hard of hearing (D.T.C. 07-7); (2) the resolution of a remaining outstanding motion in an industry-wide arbitration between Verizon and competing telephone companies for arbitration of a new agreement for interconnecting their networks (D.T.C. 04-33); (3) approval of a Verizon Request for Proposals for the provision of telecommunications relay services for the deaf and hard of hearing (D.T.C. 07-4); (4) adjudication of several consumer complaints, including cases concerning allegations of slamming, the unauthorized switching of a consumer's telephone service (e.g., D.T.C. 07-SL-5, D.T.C. 07-SL-7, D.T.C./D.T.E. 05-AD-5); and (5) the resolution of a several wholesale tariff disputes between competing telecommunications carriers (e.g., D.T.C. 07-1, D.T.C. 07-3).

A list of all Department Orders issued during 2007 is attached as Appendix A.

Cable Regulation

Introduction

What began 36 years ago -- through the establishment of the Massachusetts Community Antenna Television Commission -- as a service designed mainly to deliver off-the-air broadcast signals to rural and mountainous areas has become an \$1.65 billion industry in Massachusetts. While some households still rely on antenna reception, the principal alternative to cable television has been satellite television. However, in recent years, new entrants have emerged in the marketplace, such as competitive overbuilders and municipally-owned companies. Principal among these competitive providers are telephone companies that have begun offering video service, as well as high-speed internet service, in competition with incumbent cable operators.

Cable television is regulated on the local, state, and federal level. The Competition Division regulates cable services principally pursuant to its enabling legislation, G.L. c. 166A, and implementing regulations at 207 C.M.R. § 1.00 et seq.

With respect to cable regulation, the Competition Division:

- Oversees cable television franchising, franchise renewal, and the transfer of cable franchises in the Commonwealth;
- Establishes basic service tier programming, equipment and installation rates for communities in Massachusetts that have requested rate regulation;
- Enforces consumer protection standards; and
- Collects, compiles, and maintains statistical data from cable providers on, among other things, rates, terms and conditions, market share, and financial performance.

Cable-related Responsibilities

Oversight of Municipal Cable Franchising

In Massachusetts, local municipalities act as the issuing authorities and negotiate and grant cable licenses, while the Competition Division retains oversight authority in licensing matters. The Competition Division conducts an extensive educational program for communities involved in the licensing process, regarding the applicable substantive and procedural requirements at the local, state, and federal levels. When licensing disputes arise at the local level, the Department serves as the appellate body.

In 2007, the issue of cable franchising took center stage before Congress, the FCC and a number of state legislative bodies. While Congress contemplated sweeping video franchising reform, the FCC commenced a rulemaking proceeding to address the issue. No federal legislation was enacted, but the FCC did vote, on December 20, 2006, to impose a 90-day review period on future competitive license applications. The Competition Division also commenced a rulemaking proceeding, upon petition of Verizon Communications, to determine whether the franchise process should be altered in Massachusetts. As we begin 2008, the Competition Division will consider the impact the FCC's decision has on state regulatory authority.

Rate Regulation

In October 1992, Congress passed the Cable Television Consumer Protection and Competition Act, which provided for the regulation of cable television rates. Pursuant to this Act and G.L. c. 166A, the Competition Division regulates subscribers' rates for basic service tier programming, equipment, and installation

in those Massachusetts communities that (1) have requested rate regulation and (2) do not have effective competition from a second cable operator, as determined by the FCC. The Competition Division reviews the proposed basic service tier rates to determine whether such rates are just and reasonable and in compliance with applicable federal law. Pursuant to federal law, rates for expanded cable or premium services are not regulated.

In 2007, the Competition Division reviewed basic service tier programming, equipment, and installation rates in most of the 282 rate-regulated communities of Massachusetts. The Competition Division issued four rate orders, with respect to basic service tier programming, installation, and equipment rates applicable in these municipalities.

Consumer Protection and Education

The Competition Division, together with the Department's Consumer Division, investigates and resolves individual consumer complaints, either by informal negotiation between the consumer and the cable operator or by formal adjudicatory proceedings. The Competition Division also tracks patterns of complaints in order to identify and resolve more widespread problems.

The Competition Division has adopted regulations designed to afford cable subscribers consumer protections, particularly with respect to billing and termination of service. The Competition Division requires each cable operator to make annual filings to ensure compliance with these consumer protection regulations. Through dedicated telephone lines, published consumer information, fact sheets, and a consumer-friendly website, the Competition Division serves as a source of information for consumers seeking to understand the options available to them, particularly as competition among cable operators increases across the Commonwealth.

2007 Cable-related Highlights

Cable regulation highlights in calendar year 2007 include:

- Basic Tier Programming and Equipment Rates

The Competition Division reviewed basic service tier programming and equipment rates for most rate regulated Massachusetts communities in 2007. These reviews resulted in refunds or credits to Massachusetts subscribers exceeding \$160,000.00.

- Initial Licensing by Competitive Provider

By the close of 2007, Verizon Communications had obtained 63 Massachusetts franchises including, 25 awarded in 2007, and is pursuing

franchises in an additional 25 communities. Verizon Communications currently has licenses in the communities of Acton, Andover, Arlington, Bedford, Belmont, Boxborough, Boxford, Braintree, Burlington, Canton, Dedham, Dunstable, Framingham, Franklin, Georgetown, Hamilton, Holliston, Hopkinton, Ipswich, Lawrence, Lexington, Lincoln, Littleton, Lynn, Lynnfield, Marion, Marlborough, Marshfield, Mattapoisett, Medfield, Medway, Melrose, Methuen, Middleborough, Nahant, Natick, Needham, Newton, North Reading, Norwood, Reading, Rochester, Rockland, Rowley, Sherborn, Southborough, Stoneham, Sudbury, Swampscott, Tewksbury, Topsfield, Tyngsborough, Wakefield, Waltham, Wareham, Wellesley, Wenham, West Newbury, Westborough, Westwood, Wilmington, Winchester, and Woburn. As of January 11, 2008, Verizon is offering cable services in all of these communities except Rochester, and Wareham.

Legal Division

Overview

The Legal Division staff serves as the chief legal and policy advisor to the Commission and provides legal support to all divisions of the Department. The Legal Division also serves as the Department's primary liaison with the Legislature, particularly the Joint Committee on Telecommunications, Utilities and Energy.

Division Responsibilities

Formal Adjudication

The Legal Division's primary duty is presiding over adjudicatory proceedings conducted under the Massachusetts Administrative Procedures Act (G. L. c. 30A) and the Department's procedural regulations (220 C.M.R. § 1.00 et seq.). During 2007, the Legal Division participated in the issuance of 16 Orders. A list of the Orders issued is attached at Appendix A. Adjudications are the formal determination of parties' rights through a quasi-judicial process. All parties – both the party filing the action and any intervenors – are entitled to due process safeguards, meaning that the parties are entitled to adequate notice and the opportunity to be heard. Parties to the action have the right to present evidence, cross-examine witnesses, and receive a written decision from the Department. Pursuant to G. L. c. 25C, § 4, the Commissioner of the Department may designate an employee of the Department to act as "Presiding Officer" at Department hearings. Adjudicatory proceedings vary in complexity and may be divided into categories including:

- Ratemaking including cable rate and telecommunication tariff orders;
- Slamming (unauthorized switch of a consumer's telecommunications service);
- Interconnection disputes between telecommunication carriers; and
- Certification of telecommunications carriers to do business within the Commonwealth

In conducting a formal adjudicatory proceeding, the Department generally holds two types of hearings: (1) a public hearing, and (2) an evidentiary hearing. Public hearings are publicized throughout the utility's service territory. In certain types of cases, public hearings are held in a utility's service territory. Public hearings are transcribed by a stenographer. If held in a utility's service territory, public hearings are typically conducted during the evening in an easily accessible public building such as the Town Hall, and are overseen by a Presiding Officer. The public hearings afford local consumers the opportunity to learn more about a rate request, offer their input about the pending case, and comment on the practices

of the utility. Residential and business customers are a valuable source of information to the Department in developing a case record.

Evidentiary hearings are conducted in a courtroom setting in the Department's Boston offices. These proceedings are also transcribed by a stenographer. The hearings are presided over by a Hearing Officer, with the active participation of the Department's technical staff. The technical staff participates by questioning witnesses to ensure that the record is accurate and complete.

While the adjudicatory process does not require adherence to all formal rules of evidence, the evidentiary hearing process follows many rules of civil procedure, and parties are almost always represented by counsel from the utility bar.

Evidentiary hearings afford intervenors the opportunity to question company witnesses. In many cases, the Attorney General of the Commonwealth is an intervenor. Other intervenors may include public interest organizations and local consumer, business or neighborhood groups. Sometimes intervenors put on a direct case with witnesses of their own. Based on the evidence in the record, the Department issues a Final Order at the conclusion of each adjudicatory proceeding. Pursuant to G. L. c. 25, § 5, the Department's Final Order is appealable directly to the Massachusetts Supreme Judicial Court without intermediate appellate review. In certain circumstances, Department Orders may also be appealed to the Federal District Court or the FCC.

Other Types of Adjudication

Requests for Advisory Ruling

The Department is sometimes called upon to issue advisory rulings with respect to the applicability of any statute or regulation enforced or administered by the Department. The Department has discretion to decline a request for an advisory ruling. G. L. 30A, § 8; 220 C.M.R. § 2.08.44

Rulemakings

The Department conducts rulemakings pursuant to G. L. c. 30A, §§ 4-10 and 220 C.M.R. § 2.00, to adopt, amend or repeal regulations pertaining to the activities of all industries the Department is charged by statute with regulating. A rulemaking proceeding may involve simple procedural regulations or may address complex regulatory issues. The Department is required to provide public notice of a proposed rulemaking and to allow an opportunity for public comment. After consideration of the public comment, the Department may issue final regulations. Any final regulation must be published in the Code of Massachusetts Regulations.

Consumer Division

Overview

The Consumer Division falls within the Department of Telecommunications and Cable, but still handles gas, electric, and water complaints as well as telecommunications and cable complaints. The Department of Telecommunications and Cable has jurisdiction over telecommunications and cable matters, while the Department of Public Utilities maintains jurisdiction over gas, electric, and water matters. As a result, the term “Department” will refer to either the Department of Telecommunications and Cable or the Department of Public Utilities.

The Consumer Division is responsible for enforcing and monitoring compliance with Massachusetts laws and Department regulations and policies protecting consumers of gas, electricity, telecommunications, water, and cable services. Hundreds of companies fall within the scope of the Consumer Division's regulatory authority, with the largest number in the telecommunications industry.

Fulfilling its statutory and regulatory responsibilities in 2007 required the Consumer Division to:

- Respond to over 42,000 contacts for the year;
- Investigate 7,000 complaints for the year;
- Conduct informal hearings;
- Provide training for utility consumer representative managers;
- Approve bill notices and billing inserts;
- Provide consumer education;
- Compile statistics for reporting and informational purposes; and
- Advise the Department on important consumer issues.

Consumer Division Responsibilities

Respond to Consumer Inquiries

The Consumer Division's most important duty is to respond to the roughly 200 to 300 plus contacts it receives daily concerning utility and cable companies. Consumers may contact the division by phone, mail, email, or by visiting the office. The vast majority of consumer contacts are by telephone. Contacts to the Consumer Division are further categorized as either inquiries or referrals, for which we give information, or complaints, which we investigate as cases.

The Consumer Division operates a call center management system which allows its staff to provide direct personal attention to consumer inquiries and complaints, while also allowing for automated voice-activated assistance to those consumers who actually wish to reach their utility or cable company. The Parlance system frees the Consumer Division's utility specialists to focus on calls requiring Consumer Division expertise.

Investigate and Resolve Consumer Complaints

Every utility or cable complaint opened by the Consumer Division must be resolved before it can be closed. The Consumer Division has handled approximately 7,000 complaints in 2007. The majority of the complaints concern billing disputes, those having difficulty paying their bills, or allegations of poor quality of service. In those cases in which the utility company is found to be at fault, the Consumer Division will order the company to correct the problem and to make any necessary refunds, referred to as billing adjustments.

If a residential consumer or utility company is not satisfied with the resolution of a complaint filed with the Consumer Division, either party may request an informal hearing. A Consumer Division staff member who was not involved in investigating the initial complaint will conduct the informal hearing and issue a written decision. Parties unhappy with the informal written decision may request a formal adjudicatory hearing conducted by a hearing officer in the Department's Legal Division.

The unauthorized switching of a consumer's telephone service provider, and more recently electric generation provider (see discussion under Consumer Education), is known as slamming and is a violation of the law. Companies that engage in slamming may be subject to a fine. The Consumer Division enforces both federal and state laws which prohibit slamming. If the Department determines that an unauthorized switch has occurred, consumers will receive a refund of any unauthorized charges that they paid. Under Massachusetts law consumers must bring telephone service slamming complaints within 90 days and electric generation service slamming complaints within 30 days.

Conduct Informal Hearings

If the consumer or the utility company are not satisfied with the investigator's resolution of a complaint either party may request an informal hearing within the Consumer Division. These hearings are held in our Boston offices. Both sides attend and may bring witnesses. Neither side needs to bring an attorney and there is no transcript of this proceeding. A Consumer Division staff person not involved in the initial investigation will hear the complaint anew and write a written decision. Both parties have the right to request that the full Commission hear the matter in an adjudicatory proceeding if they are not satisfied with the informal decision.

Train Utility Managers

Noncompliance with Department regulations may require a company to issue a refund or resume service after a shut off. To help increase compliance with Department regulations, the Consumer Division holds annual utility managers' meetings for both investor owned and municipal utilities. At these meetings, Consumer Division staff review statutes, regulations, and policies pertaining to billing, protections from shut-offs, policies on abatements, and other areas of consumer protection. In addition, every other year the Consumer Division holds a more basic regulations training for the municipal utilities. Training is not limited to these meetings, however. The Consumer Division answers utility managers' questions and provides guidance any time it is needed.

Review Utility Bills and Notices

The Consumer Division is responsible for reviewing utility billing material and notices. The Consumer Division reviews bill format changes, bill inserts and notices, including rate change notices, as well as informational letters sent to consumers. The Consumer Division may recommend changes to notices where necessary to ensure that consumers are provided clear and accurate information.

Provide Consumer Education

Electric industry restructuring has changed how electricity consumers may purchase their electric generation supply. Consumers may now have the option of purchasing their electric supply from a competitive supplier rather than from their utility company. As a result, the Consumer Division, in conjunction with electric utilities, has been educating consumers about electricity generation and how to select an electric supplier.

The Consumer Division periodically develops informational brochures on important subjects in the utility industry, such as electric deregulation, telecommunications slamming, and how to address high heating costs. The Consumer Division staff will speak at meetings with legislative staff or community organizations like the United Way to provide information to case workers who assist low-income and elderly utility consumers.

Compile Statistics

In its computer database the Consumer Division maintains a record of each consumer complaint and inquiry. The complaint data include the name of the customer and the utility, the type of utility service, the nature of the complaint, whether the complaint resulted in a hearing, and whether an adjustment was made on the bill. The database also keeps track of additional data, including the number and category of calls by industry, company, and regulatory specialist investigating the call.

With its database the Consumer Division can generate reports which include cases, inquiries, and bill adjustment amounts by industry and their percentage increase or decrease over the previous twelve-month average. Other reports compare companies using measures such as the number of residential complaints per 1000 customers, and the total number of complaints per month.

The Consumer Division provides statistical information to the Department, utilities, government representatives and the media. The statistical complaint data compiled by the Consumer Division provides an important basis for determining whether fines should be levied against a utility for failure to meet required service quality benchmarks or whether there is a need for increased fuel assistance funding for low-income consumers. Statistical complaint data may also provide evidence of fraud or unfair trade practices, and if so this information would be shared with the state Attorney General's Office.

The Consumer Division received a total of 42,000 consumer contacts in 2007. Of these contacts: (1) 13,052 were general inquiries from consumers; (2) another 6,941 resulted in consumer complaints against a utility or cable company; and (3) 22,009 calls were transferred to a utility or cable company by the division's

automated phone transfer system (Parlance) because consumers were really trying to reach the company. Complaints to the Consumer Division resulted in \$281,415.74 in refunds (bill adjustments) to consumers as a result of case investigations.

Advise the Department

The Consumer Division alerts the Department to important consumer issues including significant complaint trends and new company practices which may affect consumers.

Appendix A
Department Orders Issued

Docket Number	Date Issued	Caption	Order Type
CTV 06-4 & CTV 06-7	1/5/2007	Order Consolidating Proceedings	Order
CTV 06-4/06-7	1/5/2007	Accounting Order - FCC Form 1205	Order
D.T.E. 04-87-B	1/17/2007	Complaint of CTC Communications Corp. Against Verizon Massachusetts regarding Provisioning of Unbundled Network Elements at Tariffed Rates.	Order
D.T.E. 06-61	1/30/2007	Investigation by the Department of Telecommunications and Energy on its own motion as to the propriety of the rates and charges set forth in the following tariff: M.D.T.E. No. 14, filed with the Department on June 16, 2006, to become effective July 16, 2006, by Verizon New England, Inc., d/b/a Verizon Massachusetts.	Order

D.T.E. 07-SL-1	2/14/2007	Complaint filed by Charles Dickey Dyer IV, pursuant to G.L. c. 93 et seq., with the Department of Telecommunications and Energy claiming that his local, local toll exchange and long distance telephone service provider was switched to Spectrotel, Inc., without authorization.	Order
N/A	4/2/2007	Interconnection Agreement substantially similar to agreement between Verizon and CloseCall America, Inc.	Stamp Approval
D.T.E. 05-SL-10-A	4/4/2007	Complaint filed by John K. Ober, pursuant to G.L. c. 93, §§ 108 et seq., with the Department of Telecommunications and Energy claiming that his local service was switched to Verizon New England, Inc., d/b/a Verizon Massachusetts, without authorization.	Order
D.T.C. 07-1	4/30/2007	Level 3 Access Tariff Suspension	Tariff Withdrawn
Form 500	7/7/2007	Annual Report of Verizon New England Inc. of	Letter Order

		Complaints Received Regarding FiOS TV service MA Form 500 Complaint Report, 2006 Motion for Confidentiality	
N/A	7/9/2007	Adopted Interconnection Agreement, substantially similar to agreement between Verizon and Budget Phone, Inc.	Stamp Approval
N/A	7/9/2007	Adopted Interconnection agreement between Verizon and Global Crossing Local Services, Inc.	Stamp Approval
D.T.C. 07-SL-7	8/20/2007	Adjudicatory Proceeding in the Matter of Complaint of Roberta G. Botticelli, d/b/a Colonial Manor Realty v. Verizon New England, Inc., d/b/a Verizon Massachusetts.	Order
DTC/CTV 06-6	9/27/2007	FCC Form 1240s and 1205 for the communities currently served by Cox Communications that are subject to rate regulation	Order
D.T.C. 07-SL-5	9/27/2007	Adjudicatory proceeding in the matter of complaint of Boan Tui relative to the services provided by 011 Communications	Order
D.T.C. 07-3	9/28/2007	Level 3 v. Neutral Tandem Complaint	Parties Settled

DTC/CTV 06-3	10/19/2007	FCC Forms 1240 & 1205 for the Massachusetts communities currently served by Comcast Cable Communications, LLC, and subject to rate regulation.	Order
N/A	11/6/2007	Interconnection Agreement substantially similarly to agreement between Verizon and Spectravoice, Inc.	Stamp Approval
N/A	11/6/2007	Interconnection Agreement substantially similarly to agreement between Verizon and Spectravoice, Inc.	Stamp Approval
D.T.C. 07-4	11/13/2007	VRZ Dual Relay Service	Order
N/A	11/15/2007	TRS Recertification w/ FCC -- Dept's filing made to FCC on Nov. 15th	Filed Comments w/ FCC
DTC/D.T.E 05-AD-05	11/19/2007	Kilgallen v. Verizon	Order
C.T.V. 06-4/06-7	11/27/2007	FCC Forms 1240 & 1205 for the Massachusetts communities currently served by Time Warner Cable and subject to rate regulation.	Order

DTC/CTV 06-5	11/30/2007	FCC Form 1240s and 1205 for the communities currently served by Charter Communications that are subject to rate regulation	Order
D.T.C. 07-SL-8	11/30/2007	Skinner v. Cordia Telecommunications	Order
D.T.C. 07-SL-12	12/14/2007	Toney v. Silv Communications	Complaint Withdrawn
D.T.C. 07-SL-9	12/28/2007	Walorz v. Broadview Networks	Case Settled

Appendix B

2007 Consumer Division Statistics by Industry

INDUSTRY	COMPANY	CASES	INQUIRIES	REFERRALS	ADJUSTMENTS
CABLE					
	ADELPHIA CABLE	2	1	8	\$0.00
	CENTURY CABLE		9		
	CHARLEMONT CABLE		7	17	
	CHARTER CABLE	232	1024	1321	\$4,642.06
	COMCAST CORP.	774	2559	4442	\$14,333.63
	COX CABLE	2	19	60	\$373.70
	HARRON CABLE		1		
	OTHER CABLE	3	77	0	\$0.00
	RCN CABLE	122	516	476	\$5,568.60
	RUSSELL COMMUNITY CABLE			3	
	SHREWSBURY CABLE	1	1	10	
	TIME WARNER CABLE	28	91	260	\$213.80
	TUFTS UNIVERSITY			2	
	TOTAL CABLE	1164	4305	6599	\$25,131.79
ELECTRIC					
	NANTUCKET ELECTRIC	1	1		\$179.92
	NATIONAL GRID(MASSACHUSETTS ELECTRIC)	810	1002	1784	\$20,504.44
	NORTHEAST UTILITIES (WESTERN MASSACHUSETTS ELECTRIC)	212	470	739	\$819.40
	NSTAR (BOSTON EDISON)	716	1040	341	\$56,406.07
	NSTAR(CAMBRIDGE ELECTRIC)	26	6	1088	\$130.26
	NSTAR(COMMONWEALTH ELECTRIC)	285	39		\$5,581.02
	TOTAL INVESTOR OWNED ELECTRIC	2050	2558	3952	\$83,621.11
MUNICIPAL ELECTRIC					
	ASHBURNHAM MUNICIPAL ELEC	1		88	\$0.00
	BELMONT MUNICIPAL ELEC		1	14	
	BOYLSTON ELEC			54	
	BRAINTREE MUNICIPAL LIGHT & CABLE	7	8	2	\$0.00
	CHESTER MUNICIPAL ELEC		4	24	
	CHICOPEE MUNICIPAL ELEC	7	7	12	\$0.00
	CONCORD MUNICIPAL ELEC		1	51	
	DANVERS MUNICIPAL ELEC		1	13	\$0.00
	GEORGETOWN MUNICIPAL ELEC	2			\$0.00
	GROTON MUNICIPAL ELEC	1		9	\$0.00
	GROVELAND MUNICIPAL ELEC			61	
	HINGHAM MUNICIPAL ELEC	4	1	39	\$0.00
	HOLDEN MUNICIPAL ELEC			30	
	HOLYOKE MUNICIPAL ELEC	5		17	\$0.00
	HUDSON MUNICIPAL ELEC	1		157	\$0.00
	HULL MUNICIPAL ELEC			25	
	IPSWICH MUNICIPAL ELEC	1		8	\$0.00
	LITTLETON MUNICIPAL ELEC		1	33	
	MANSFIELD MUNICIPAL ELEC	4		5	\$0.00
	MARBLEHEAD MUNICIPAL ELEC			3	
	MERRIMAC MUNICIPAL ELEC			35	
	MIDDLEBORO MUNICIPAL ELEC	6	1		\$400.00

INDUSTRY	COMPANY	CASES	INQUIRIES	REFERRALS	ADJUSTMENTS
	MIDDLETON MUNICIPAL ELEC			10	
	N. ATTLEBOROUGH MUN ELEC	1		11	\$0.00
	NORWOOD MUNICIPAL LIGHT & CABLE	2	2	34	\$0.00
	PEABODY MUNICIPAL ELEC	3	2	7	\$0.00
	PRINCETON MUNICIPAL ELEC	1		11	
	READING MUNICIPAL ELEC	1	1	13	\$0.00
	ROWLEY MUNICIPAL ELEC		2		\$0.00
	RUSSELL MUNICIPAL ELEC	1		4	\$0.00
	S. HADLEY MUNICIPAL ELEC	1	1	9	\$0.00
	SHREWSBURY MUNICIPAL ELEC	1	4	16	\$0.00
	STERLING MUNICIPAL ELEC	1			\$0.00
	TAUNTON MUNICIPAL ELEC	23	9	27	\$0.00
	TEMPLETON MUNICIPAL ELEC		1	12	
	WAKEFIELD MUNICIPAL ELEC	2	4	12	\$0.00
	WELLESLEY MUNICIPAL ELEC	2	4	10	\$0.00
	WEST BOYLSTON MUNICIPAL ELEC			16	\$0.00
	WESTFIELD MUNICIPAL ELEC	6	13	44	\$0.00
	TOTAL MUNICIPAL ELECTRIC	84	68	916	\$400.00
	GRAND TOTAL ELECTRIC	2134	2626	4868	\$84,021.11
GAS					
	BERKSHIRE GAS	26	24	56	\$0.00
	BLACKSTONE GAS	1	1	76	\$0.00
	KEYSPAN (BOSTON GAS)	590	975	951	\$44,900.55
	KEYSPAN (COLONIAL GAS-CAPE)	88	19	625	\$44,784.19
	KEYSPAN (ESSEX COUNTY GAS)	3	3		\$855.07
	KEYSPAN(COLONIAL GAS - LOWELL)	56	13	118	\$9,849.35
	NEW ENGLAND GAS (NO.ATTLEBORO GAS)	17	13		\$716.15
	NEW ENGLAND GAS(FALL RIVER GAS)	126	31	183	\$5,966.02
	NISOURCE(BAY STATE GAS)	285	260	197	\$9,219.22
	NSTAR(COMMONWEALTH GAS)	169	35	1930	\$6,572.62
	OTHER GAS CO.	3	9		\$0.00
	UNITIL(FITCHBURG GAS & ELECTRIC)	65	34	159	\$1,681.49
	TOTAL INVESTOR OWNED GAS	1429	1417	4295	\$124,544.66
MUNICIPAL GAS					
	HOLYOKE MUNICIPAL GAS	3			\$0.00
	WAKEFIELD MUNICIPAL GAS		1		\$0.00
	WESTFIELD MUNICIPAL GAS	6	8		\$0.00
	TOTAL MUNICIPAL GAS	9	9	0	\$0.00
	GRAND TOTAL GAS	1438	1426	4295	\$124,544.66
MUNICIPAL					
	OTHER MUNICIPAL	2	3		\$0.00
	TOTAL OTHER MUNICIPAL	2	3	0	\$0.00
NOT APPLICABLE					
	OTHER	22	655	0	\$187.42
	TOTAL OTHER	22	655	0	\$187.42

INDUSTRY SUPPLIER	COMPANY	CASES	INQUIRIES	REFERRALS	ADJUSTMENTS
	CAPE LIGHT COMPACT		4		\$0.00
	CON ED SOLUTIONS	4	3		\$0.00
	DOMINION RETAIL, IN4.	8	51		\$0.00
	MX ENERGY, INC.	7	12		\$47.32
	NORTHEAST UTILS WHOLESALE	1			
	SPARK ENERGY, LP	3			\$39.32
	STRATEGIC ENERGY LLC	3	3		
	UNITIL RESOURCES, INC.	1	1		\$0.00
	TOTAL SUPPLIER	27	74	0	\$86.64
TELECOMMUNICATIONS					
	00		1		
	01 COMMUNICATIONS OF MA, LLC	1	2		
	011 COMMUNICATIONS	2			\$5.50
	1 COM, INC.		1		
	ACCXX COMMUNICATIONS	6	1		\$654.64
	ACN	5	16		\$76.18
	ADELPHIA TELECOMMUNICATIONS	2			\$0.00
	AIRNEXT COMMUNICATIONS	2			
	AMERICAN BUSINESS ALLIANCE, INC.		1		
	AMERICAN CYBER CORP., DBA DISCOUNT PLUS		1		
	AMERICAN TELECOM SYSTEMS, INC.	1			\$0.00
	AMERICAN TELENET		1		
	AT&T	415	612	1374	\$12,854.31
	BAK COMMUNICATIONS LLC		2		\$0.00
	BAY RING COMMUNICATIONS		1		
	BROADVIEW NETWORKS	10	2		\$66.49
	BROADWING TELECOMMUNICATIONS	1			\$0.00
	BUSINESS NETWORK LONG DISTANCE	1			
	CAVALIER TELECOM	4	2		\$171.30
	CHARTEL (CHARTER FIBERLINK TELECOM)	4	62		\$0.00
	CHOICE ONE COMMUNICATIONS	5	13		\$0.00
	CLEARTEL TELECOMMUNICATIONS, INC.	1			\$0.00
	CLEARWORLD COMMUNICATIONS CORP.		1		
	COINTEL INC.		1		
	COMCAST PHONE, LLC	175	142	159	\$5,406.49
	COMMUNICATIONS NETWORK BILLING	4			\$819.55
	CONSUMER TELECOM INC.	2			
	CONVERSENT COMMUNICATIONS OF MA, LLC				\$0.00
	CORDIA COMMUNICATIONS CORP.	27	56		\$502.48
	CTC COMMUNICATION CORP	1	1		\$0.00
	ECONODIAL, LLC		1		\$0.00
	ESSENTIAL .COM			54	
	EVERCOM SYSTEMS, INC.		1		\$0.00
	EXCEL/VARTEC		4		\$0.00
	FAIRPOINT COMMUNICATIONS		1		
	FCC		389		
	GLOBAL CROSSING TELECOM	4			\$0.00
	GRANBY TELEPHONE COMPANY	1	1	23	\$0.00
	GRANITE TELECOMMUNICATIONS, LLC	1			
	GROVELINE COMMUNICATIONS	1			

INDUSTRY	COMPANY	CASES	INQUIRIES	REFERRALS	ADJUSTMENTS
	HORIZON ONE (AKA AFFINITY NETWORK)		1		
	HORIZON TELECOM	8			\$177.29
	IDT CORPORATION	29	34		\$174.46
	ILD - EVERCOM - TALTON - INVSION	11	3		\$119.15
	IMR TELECOM		2		
	INTEGRETEL	1			\$156.67
	LEGENT COMMUNICATIONS CORP. DBA/LONG DISTANCE AMERICA	1			\$324.30
	LEVEL 3 COMMUNICATIONS, LLC	1			
	LIGHTSHIP TELECOM, LLC		1		\$0.00
	LIGHTYEAR COMMUNICATIONS, INC.		1		
	LOCAL LONG DISTANCE		1		
	LOCAL PHONE COMPANY DBA OPTIMUM GLOBAL COMMUNICATIONS	7	1		\$76.62
	MASSACHUSETTS LOCAL TELEPHONE COMPANY, INC.	1	4		\$0.00
	MCI	37	74	326	\$470.04
	MEDIAONE TELEPHONE (ATTBROADBAND)		76		
	METROPOLITAN TELECOMMUNICATIONS	2	2		\$0.00
	NECC TELECOM, INC.	1			\$632.89
	NETWORK PLUS, INC.	1	1		
	NORTH AMERICAN TELEPHONE NETWORK, INC.	1			
	NORTHSTAR	12	4		
	ONE COMMUNICATONS	11	6		\$2424.01
	ONETOUCH COMMUNICATIONS	6	2		\$250.85
	ONETOUCH COMMUNICATIONS, DBA SPECTROTEL	2			\$196.07
	OPERATOR ASSISTANCE NETWK	10	3		\$12.99
	OPTIMUM GLOBAL COMMUNICATIONS, INC. DBA THE LOCA	1			
	OTHER COCOTS	1	2		
	OTHER TELEPHONE CO.	57	55		\$343.74
	POWERNETGLOBALCOMMUNICATION		1		
	PRIMUS TELECOMMUNICATIONS, INC.	3	3		\$8.32
	QCC	1			\$0.00
	QWEST COMMUNICATIONS	4			\$0.00
	RCN TELEPHONE	53	72	809	\$220.76
	REDUCED RATE LONG DISTANCE, LLC	5			\$199.56
	RICHMOND NETWORKX	1			
	RICHMOND TELEPHONE COMPANY	4	2	19	\$0.00
	RNK, INC.		3		
	SILV COMMUNICATIONS, INC.	4			\$757.35
	SPECTROTEL, INC.	7	1		\$117.25
	SPRINT	15	15	107	\$272.18
	STARTEC GLOBAL COMMUNICATIONS	1	1		\$24.21
	TACONIC TELEPHONE CORP.	2		23	\$0.00
	TALK AMERICA INC.	1	1		\$95.51
	TELEUNO, INC.	5	1		\$405.03
	TRINSIC COMMUNICATIONS, INC.	3	2		\$0.00
	U. S. TELECOM LONG DISTANCE	1			\$0.00
	UNITED SYSTEMS ACCESS TELECOM, INC	4	1		\$679.51
	UNI-TEL COMMUNICATIONS GROUP, INC.	3	1		\$0.00
	USBI	15	3		\$372.63
	VARTEC TELECOM, INC.	5	2		\$0.00
	VERIZON	1100	2226	2746	\$18,218.27

INDUSTRY	COMPANY	CASES	INQUIRIES	REFERRALS	ADJUSTMENTS
	WORKING ASSETS LONG DISTANCE		1		
	WORLDXCHANGE CORP DBA ACCERIS COMMUNICATION	1			\$11.00
	XO COMMUNICATIONS, INC.	4	12		\$0.00
	ZEROPLUS	3	3		
	Z-TEL		1		
	TOTAL TELECOMMUNICATIONS	2122	3941	5640	\$47,297.60
UNKNOWN					
	UNKNOWN	20	1		\$0.00
	UNREGULATED INDUSTRY	2			\$0.00
	TOTAL UNKNOWN	22	1	0	\$0.00
WATER					
	ACOAXET WATER WORKS			5	
	AQUA WATER COMPANY		7		
	AQUARION WATER COMPANY	3	3	47	\$98.36
	ASHMERE WATER SUPPLY			69	
	ASSABET WATER COMPANY	1		55	\$0.00
	ASTRO WATER SUPPLY			32	
	BARNSTABLE WATER			80	
	BUTTERWORTH WATER			6	
	DOVER WATER COMPANY	1		26	\$0.00
	DUMMY COMPANY		1		
	EAST NORTHFIELD WATER CO		1	2	
	GLACIAL LAKE CHARLES			39	
	HOUSATONIC WATER			16	
	HUTCHINSON WATER			3	
	KINGS GRANT WATER			31	
	MAHKEENAC WATER			47	
	MASS AMERICAN			3	
	MCNAMARA WATER WORKS		1		
	MENEMSHA WATER			23	
	MILFORD WATER COMPANY	1	5	13	\$0.00
	MONTEREY WATER			12	
	OAKES WATER COMPANY			39	
	OTHER WATER CO.	3	3		\$0.00
	PLYMOUTH WATER			14	
	SALISBURY WATER	1		14	\$48.16
	SHEFFIELD WATER			5	
	SOUTH EGREMONT WATER			9	
	WESTPORT HARBOR			10	
	WHITINSVILLE WATER			4	
	WITCHES BROOK WATER			3	
	TOTAL WATER	10	21	607	\$146.52
	GRAND TOTAL	6,941	13,052	22,009	\$281,415.74